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Attorney Docket No. ATI-207

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Toan C. To

Art Unit: 3619

Re: Application of:

David S. Breed et al.

Serial No.:

09/437,535

Filed:

November 10, 1999

For:

METHOD AND APPARATUS FOR
CONTROLLING DEPLOYMENT OF A
SIDE AIRBAG

*Terminal (in app)
Disclaimer
1/3/02 Hm*

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned is an attorney of record for the above-referenced application.

The owner of 100%~~per~~cent interest in the instant application, Automotive Technologies International, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Pat. No. 5,653,462 issued August 5, 1997 and entitled "Vehicle Occupant Position and Velocity Sensor".

Automotive Technologies International, Inc. also hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Pat. No.

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5,829,782 issued November 3, 1998 and entitled "Vehicle Interior Identification and Monitoring System".

Automotive Technologies International, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Pat. No. 5,848,802 issued December 15, 1998 and entitled "Vehicle Occupant Position and Velocity Sensor".

Automotive Technologies International, Inc. also hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Pat. No. 6,039,139 issued March 21, 2000 and entitled "Method and System for Optimizing Comfort of an Occupant".

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Pat. Nos. 5,653,462, 5,829,782, 5,848,802 and 6,039,139 are commonly owned.

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of U.S. Pat. Nos. 5,653,462, 5,829,782, 5,848,802 and 6,039,139, as presently shortened by any terminal disclaimer, in the event that any of the said U.S. patents later: expires for failure to pay a maintenance fee, is held

unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The fee of \$110 for submission of a Terminal Disclaimer should be charged to Deposit Account No. 50-0266. A duplicate copy of these sheets is enclosed.

By: Brian Roffe


Signature


Date